


## CERTIFICATE OF MAILING

I hereby certify that the foregoing AMENDMENT UNDER 37 C.F.R. §1.196(b)(1) (along with two copies thereof) in response to the Decision on Appeal mailed September 25, 2003 in application Serial No. 09/139,155 of inventors, David M. Flynn, et al, in Appeal No. 2001-1196 is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

on November 18, 2003.

\_\_\_\_\_

LAW OFFICES  
NIKOLAI &  
MERSEREAU, P.A.

INTERNATIONAL CENTRE  
900 SECOND AVENUE SOUTH, SUITE 820  
MINNEAPOLIS, MINNESOTA 55402-3813  
TELEPHONE 612 339-7461  
FACSIMILE 612 349-6556

November 18, 2003

PATENT APPLICATION  
OUR FILE NO. 960565.ORI

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

*Ex parte:* David M. Flynn, Stuart R. Chastain  
Steve Hahn, and June M. Zytkevich

Date: November 18, 2003

Appeal No. 2001-1196

S.N.: 09/139,155

Before Thomas, Ruggiero, and Gross, **Administrative Patent Judges.**

Gross, **Administrative Patent Judge**

Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

Transmitted herewith is the original and two copies of the Amendment Under 37 C.F.R. 1.196(b)(1) in response to the Decision on Appeal mailed September 23, 2003.

The Commissioner is hereby authorized to charge any fees or credit any overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 08-1265. A duplicate copy of this sheet is enclosed.

Yours very truly,

NIKOLAI & MERSEREAU, P.A.

*Thomas J. Nikolai*  
Thomas J. Nikolai

TJN/ljr  
Enclosures

\* 17.  
12/1/03  
jun

11-20-03  
RECEIVED  
BOARD OF PATENT APPEALS  
AND INTERFERENCES  
NOV 21 PM 2:39

Do Not  
12/2/03

PATENT APPLICATION

OUR FILE NO. 960565.ORI

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

*Ex parte:* David M. Flynn, Stuart R. Chastain  
Steve Hahn, and June M. Zytковicz

Date: November 18, 2003

Appeal No. 2001-1196

S.N.: 09/139,155

Before Thomas, Ruggiero, and Gross, **Administrative Patent Judges.**

Gross, **Administrative Patent Judge**

---

Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT UNDER 37 C.F.R. § 1.196(b)(1)**

Dear Sir:

Responsive to the Decision On Appeal dated September 25, 2003, please amend the above-captioned application as follows:

RECEIVED  
2003 NOV 21 PM 2:40  
BOARD OF PATENT APPEALS  
AND INTERFERENCES